

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

LAMEL JEFFERY, et al.,

Plaintiffs,

v.

THE CITY OF NEW YORK, et al.,

Defendants.

No. 20 Civ. 02843 (NGG)(RML)

**STIPULATION AND DISMISSAL WITH PREJUDICE OF OFFICIAL CAPACITY  
CLAIMS AGAINST GOVERNOR CUOMO**

WHEREAS, Plaintiffs have filed the above-captioned purported class action lawsuit on behalf of themselves and other similarly situated individuals challenging the implementation and enforcement of a curfew in place in New York City between June 1 and June 7, 2020 (“Action”);

WHEREAS, the Action names as a defendant New York State Governor Andrew M. Cuomo; and

WHEREAS, the Action asserts claims against Governor Cuomo in both his individual capacity and his official capacity.

IT IS HEREBY STIPULATED AND AGREED between Plaintiffs and Governor Cuomo, through their undersigned counsel, that pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, all official capacity claims against Governor Cuomo in the Action are discontinued with prejudice, with each party to bear its own costs and attorneys’ fees.

Dated: New York, New York  
November 23, 2020

Cohen & Fitch LLP

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*Attorney for Plaintiffs and Putative Class  
Members*

*Attorney for Defendant Governor  
Andrew M. Cuomo*

**So ordered:** \_\_\_\_\_  
Hon. Nicholas G. Garaufis  
United States District Judge